

FARMINGTON CITY COUNCIL MEETING

Wednesday, August 17, 2005

CITY COUNCIL WORK SESSION/EAST CONFERENCE ROOM

PRESENT: Council Members Richard Dutson, David Hale, Larry W. Haugen, Susan T. Holmes, Sidney C. Young, City Manager Max Forbush, City Planner David Petersen, and Recording Secretary Jill Hedberg. Mayor Connors was excused.

Mayor Pro Tem Susan Holmes began discussion at 6:30 P.M. The following items were briefly summarized by **Max Forbush**:

Agenda Item #12 - Proposal to Dedicate Public Right of Way and to Make Certain Public Improvements in Exchange for LM&B Zoning - Jeff Smith The applicant plans to purchase Ken Hardy's property to construct storage units if the appropriate zoning can be achieved. He requested a Reimbursement Agreement and would like the abutting property owners to pay the remainder of the improvements. City Staff believes he should be required to sign an Extension Agreement for public improvements on his side of the street. The Packs should not be included in the Reimbursement Agreement since they will be required to stub a road and extend the water and sewer line. Zoning should not guarantee him a conditional use permit for site approval. **Mr. Forbush** suggested a conceptual authorization for the City Attorney and City Staff to draft a Development Agreement.

Agenda Item #5 - Schematic Plan Consideration of Proposed Hidden Meadows, Phase II Subdivision - Chris Martineau The applicant planned to extend the non-conforming street by resolution. He would not fully develop the street due to the hills and wetlands which would force it to be single loaded. The applicant planned to improve the property's drainage which currently has a spring that eventually drains into Shepard Creek.

Mr. Petersen suggested that the water rights for the spring be researched. The concept was approved by the Fire Chief. If approved by the City Council, a resolution would be prepared. The City received a letter from Gary Williams stating that he wanted drainage handled properly. City staff recommended the project.

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Council Members Richard Dutson, David Hale, Larry W. Haugen, Susan T. Holmes, Sidney C. Young, City Manager Max Forbush, City Planner David Petersen, City Recorder Margy Lomax, and Recording Secretary Jill Hedberg. Mayor Connors was excused.

Mayor Pro Tem Susan Holmes called the meeting to order at 7:00 P.M. and offered the invocation. The Pledge of Allegiance was led by **Max Forbush**.

APPROVAL OF MINUTES OF PREVIOUS MEETING

David Hale moved to approve the minutes of the August 3, 2005, City Council Meeting. **Rick Dutson** seconded the motion with changes as noted. The voting was unanimous in the affirmative.

REPORT OF PLANNING COMMISSION (Agenda Item #3)

David Petersen reported proceedings of the Planning Commission meeting held August 11, 2005. He covered the following items:

- The Planning Commission recommended final plat approval for the Farmington Ranches subdivision which consists of 39 lots on 17.93 acres located at approximately 2100 West 350 North in an AE zone.
- The Planning Commission recommended that the City Council approve the schematic plan for a 2 lot subdivision on 2.8 acres located at approximately 1750 West 675 North in an AE zone.
- The Planning Commission recommend that the City Council grant schematic plan approval for the northerly phase of the Farmington Crossing PUD on the property located south of Shepard Lane adjacent to the Shepard Creek Parkway.
- The Planning Commission recommended that the City Council rezone the property located on the southwest corner of 200 East and 200 South from A to R-4, and recommended schematic plan approval.
- The Planning Commission tabled the Hillside Master Plan discussion until the next meeting to allow the Planning Commission time to review large, colored maps of the area.
- The Planning Commission tabled consideration of Chapter 11 until their recommendations were reviewed and written as part of the text by the City Attorney.
- The Planning Commission tabled consideration of the sign request until further discussions take place with the Goodyear property owner and Burt Brothers.
- Mark Davidson asked to be removed from the agenda.
- Woodside Homes presented their Shepard East development to the Planning Commission for discussion purposes only.

PUBLIC HEARING: SCHEMATIC PLAN CONSIDERATION OF PROPOSED PARK LANE FOUR-LOT COMMERCIAL SUBDIVISION - GREG BELL (Agenda Item #4)

According to packet information, the Farmington City Planning Commission voted on July 28, 2005 to recommend to the City Council schematic plan approval for a commercial subdivision located at Lagoon Drive and Park Lane.

David Petersen displayed the Vicinity Map. Mr. Bell had received schematic plan approval for a similar plan. A series of wetlands exist on the property. The size of the CMU area will be determined by the placement of the road that accesses U.S. 89. The Planning Commission suggested that curb and gutter be included. The proposed storage units would be on Parcel 2.

Public Hearing

Susan Holmes opened the meeting to a public hearing.

Mr. Bell said he did not think the area to the north would be commercial. He thought it would be better used as multi-family housing. He did not think one of the roads was an option due to the wetlands.

Scott Ogalvy (Trails Committee) said he wanted to verify that a trail right of way was included in the plan. The trail would eventually lead to Shepard Lane.

Public Hearing Closed

With no further comments, **Mayor Pro Tem Susan Holmes** closed the public hearing.

David Petersen said the trail had been considered in 1994, then again at the last Planning Commission meeting. The trail would be included in the Trails Master Plan as a sidewalk due to the road and the wetland complex.

Motion

Rick Dutson moved that the City Council grant schematic plan approval for a commercial subdivision located at Lagoon Drive and Park Lane. The motion for approval was subject to compliance with all applicable ordinance requirements and development standards and the following condition: Curb and gutter improvements are installed on the north side of the proposed cul-de-sac shown as Bell Lane.

David Hale seconded the motion which passed by unanimous vote.

PUBLIC HEARING: SCHEMATIC PLAN CONSIDERATION OF PROPOSED HIDDEN MEADOWS, PHASE II SUBDIVISION - CHRIS MARTINEAU (Agenda Item #5)

According to packet information, the Planning Commission voted on July 28, 2005 to recommend to the City Council schematic plan approval for Phase 2 of the Hidden Meadows Subdivision on property located at approximately 1300 North Main. The motion for approval was subject to compliance with all applicable ordinance requirements and development standards and resolution of four issues.

David Petersen displayed a Vicinity Map. Hidden Meadows Phase 1 connects Quail Cove. The property owned by the Welling family extends to the Forest Service. He displayed the Phase 2 plan which did not connect to Phase 1 due to the steep hillside and the wetlands. The road would have to be included in a later phase since it would be single loaded.

The Planning Commission was concerned with the drainage of the property. The developer planned to re-grade his property so it would flow down the draw (westerly) to a detention basin. He would also redirect the stream flow (spring water) which would relieve the burden from the surrounding property owners. The water rights would need to be researched since there are farm animals down stream who drink from the stream.

Cherry Blossom and Welling Way are non-conforming streets since they are longer than 1,000 feet. The Planning Commission and Fire Chief recommended a Resolution be approved by the City Council for an extension.

Public Hearing

Mayor Pro Tem Susan Holmes opened the meeting to a public hearing.

John Schupe said their schematic plan includes large lots. The water flow issues were mostly on the eastern side of the property. The redirection of the stream would resolve the drainage problems.

Maxine Kerr asked if Spring Creek was on the property. **Mr. Petersen** told her it was not.

David Mulholland said he was concerned with the non-conforming dead end streets. The road was a 3,000 foot road with only one access. The Planning Commission did not consider the residents who would be boxed in with only one outlet. The road needs to be opened up before more residences are added.

Doug Welling (388 Welling Way) suggested that a route exist for the construction workers that would conflict less with the neighborhood traffic.

David Mulholland suggested that the entire street be paved.

Max Forbush passed out a written letter from Gary and Debra Williams. They requested their letter be read into the minutes. The Williams' letter addressed the need to pay particular attention to the drainage since problems have occurred in the past. The Williams live to the south of the proposed development. Mr. Forbush felt it would be appropriate for the developer to check with the State Engineers Office to determine if a permit would need to be filed. Should they change the direction of flow for the spring water.

Public Hearing Closed

With no further comments, **Mayor Pro Tem Holmes** closed the public hearing.

David Hale said he was pleased with the redirection of the water. He suggested that the road be used for construction traffic when the utilities were installed.

Rick Dutson asked when the other areas would be developed.

Mr. Schupe said it could be as soon as next year since there was a considerable amount of interest in the phase.

David Petersen said the spring could be piped until it reached the old Bamberger right of way. He said all of the property authorities had been contacted regarding the non-conforming dead end street.

Motion

David Hale moved that the City Council approve the schematic plan for Phase 2 of the Hidden Meadows Subdivision on property located at approximately 1300 North Main. The motion for approval is subject to compliance with all applicable ordinance requirements and development standards and resolution of the following issues:

1. The lots to the south of this phase be protected from storm water flow by the developer channeling the entire flow, including the spring from the cul-de-sac (if permitted by law) and the berm along the southern property lines westerly, into the 1300 North Street storm drain down to Main street.
2. Any concerns regarding fire protection raised by the City's Fire Chief shall be met.
3. The extension of Cherry Blossom Drive, a non-conforming dead-end street, be approved by the City Council.

4. Structural road base that meets City standards shall be provided on 1300 North Street which shall be dedicated to the City for secondary access.

The water right to the stream and the construction traffic impact must be resolved. **Rick Dutson** seconded the motion, which passed by unanimous vote.

PUBLIC HEARING: SCHEMATIC PLAN CONSIDERATION FOR SOUTHERLY AND NORTHERLY PHASES OF FARMINGTON CROSSING PUD ADJACENT TO WEST SIDE OF U.S. 89 BETWEEN PARK AND SHEPARD LANES - GARBETT HOMES

According to packet information, the Planning Commission voted on August 11, 2005, to recommend to the City Council schematic plan approval for the northerly phase of the Farmington Crossing Planned Unit Development on property south of Shepard Lane adjacent to the Shepard Creek Parkway. The motion for approval was subject to compliance with all applicable ordinance requirements and development standards and four conditions.

David Petersen said the developer had included additional parking as per the request of the Planning Commission.

Public Hearing

Mayor Pro Tem Susan Holmes opened the meeting to a public hearing.

Noel Ballstaedt (8501 South Taos Drive, Sandy) said 120 units out of 156 units had been sold. Kent Buie had been unsuccessful marketing the commercial/retail area on Shepard Lane so he had sold the property to Garbett Homes.

Tyler Kirk (3115 East Lion Lane) said the developments amenities include a clubhouse (which was previously approved), a swimming pool, playground, volleyball area, and recreational grass. The phase to the south would have a gazebo and open space. The northern space would have a town square and recreational green space. The trail system would tie into the City's trail system. There was an existing pond on the site that they plan to refurbish.

Noel Ballstaedt said the pond would be an amenity. They agreed to pipe a portion of the existing flows to the wetlands.

Tyler Kirk said the units included two car garages. One fourth of the units have double wide driveways that could be used for visitor parking. The project would include approximately 3 stalls per unit. He displayed the various home types. The south phase would have building types that had previously been approved. The north phase would have detached town homes with rear loaded garages. There would also be live-work homes which would have a designated work space on the

main level. The parking would be perpendicular in front of the two buildings which would be located near the town square. Another home style would have 4-9 units.

Noel Ballstaedt said they would follow up with Kent Buie's application to UDOT for Highway 89 access. It would be a right in/right out. They designed a street system that would discourage the development from being used as a cut-through. The development would be fully landscaped and include attractive lighting.

Maxine Kerr said she was a representative for the property owners to the east and to the north of the development. She was concerned about the water management and about the pipe from Shepard Creek draining onto her property. She asked who would be responsible for maintaining the pipe. She was also concerned that the area was part of the Farmington Preserve project. At the southern end of the property, there was a parkway with a detention which closed off the channel to Spring Creek. The water that did not make the 90 degree turn was flooding onto her property. The water would need to be piped in order to travel west. She felt the problem was caused by the original developer and needed to be solved before additional building was approved.

Noel Ballstaedt said the current plan was for the pipe to direct the run off under the trail which would travel onto Davis County property. The pipe could be conveniently accessed under the trail. Davis County would be responsible for the maintenance.

Maxine Kerr asked who owned the property where the Shepard Creek management exited the detention pond.

Noel Ballstaedt said it was a temporary channel that would be eliminated when the pipe was installed. They had not received the necessary approval but had rectified the problem

Maxine Kerr said the County had informed her that they did not have plans for Spring Creek.

Milo Kirkham (975 North Compton Road) said there had been conflicts with the County. He had been restricted by UDOT allowing a one way access. Flooding had been a problem since a developer had dug a ditch on his property. He was working with Ms. Kerr and her attorney. He was concerned that he was being overtaxed without being able to use the property.

The Highway 89 access road was discussed. The maximum travel load at 1075 West Shepard as modeled by the City Engineer had more traffic volume than what Garbett would produce. The capacity of the intersection met the warrants and Paul Hirst believed the development's traffic load could easily be handled by the 1075 West Shepard round-about which will be under construction soon.

Public Hearing Closed

With no further comments, **Mayor Pro Tem Susan Holmes** closed the public hearing.

Max Forbush said both of the stream channels being discussed were the responsibility of the County.

Maxine Kerr said the Spring Creek flows were changed by the developer, not the County.

The City Council Members agreed that the Developer's property adjacent to Shepard Lane should remain commercial. The commercial land would be more marketable than it had been in the past due to Station Park, the K-Mart complex, and the increased housing in the area. Council Members believed additional property along the parkway should also be commercial. They wanted the Developer to study the feasibility.

Motion

David Hale moved that the City Council approve the southerly phase of Farmington Crossing PUD and that the applicant reconfigure the northerly phase to include more commercial property. **Rick Dutson** seconded the motion which passed by unanimous vote.

**PUBLIC HEARING: CONSIDERATION OF GENERAL PLAN AMENDMENTS -
CHAPTER 10 REGARDING RESIDENTIAL DEVELOPMENT - DAVID PETERSEN
(Agenda Item #7)**

According to packet information, the draft copy of Chapter 10 of the General Plan regarding residential development was prepared by Rulon Dutson of Bear West and was recommended by the Planning Commission. It represents a major amendment to the existing Chapter 10 for a number of reasons:

1. The draft addresses characteristics of residential components of the TMU, CMU and NMU designations. These terms certainly are not new to the governing body, but they are only discussed in Chapter 11, the commercial development chapter of the General Plan. And due to the mixed use nature of these designations, they should be discussed in Chapter 10 as well.
2. The entire chapter was reformatted by Bear West. This will ensure a more readable, easy to use document.
3. The last major revision occurred in 1999. The proposed changes also represent a timely update of the General Plan.

David Petersen said there had been many changes to the General Plan Land Use Map which included the CMU, NMU, TMU, and Class A office zoning. Chapter 10 (residential chapter) did not discuss any of the mixed use areas which have a residential components. The Planning Commission approved the TMU zone which allowed 40 units per acre.

Public Hearing

Mayor Pro Tem Susan Holmes opened the meeting to a public hearing.

Public Hearing Closed

With no forthcoming comments, **Mayor Pro Tem Susan Holmes** closed the public hearing.

Motion

Sid Young moved that the City Council table consideration of Chapter 10 regarding residential development until consideration of the Highway 89 corridor occurred. **Rick Dutson** seconded the motion, which passed by unanimous vote.

PUBLIC HEARING: CONSIDERATION OF PROPOSED AMENDMENTS TO ZONING ORDINANCE TEXT, CHAPTER 18 PERTAINING TO TRANSIT ORIENTED DEVELOPMENTS - DAVID PETERSEN (Agenda Item #8)

According to packet information, City staff is confident that Rich Haws will provide strong Master Development Guidelines (MDG's) and implement a solid Common Area Management Plan (CAMP) to ensure the highest quality development possible. It is recommended that the City improve the TMU language in the General Plan and strengthen the TOD text in the Zoning Ordinance in order to provide compatible development of properties in the area consistent with high standards acceptable to Farmington City.

Draft changes to both documents were prepared by Todd Godfrey of Mike Mazuran's office and Marc Johnson of CIVITAS. Both of the drafts were reviewed by the Planning Commission on August 11, 2005. The Commission recommended a few changes to each document, but withheld final recommendations until they conduct another review of both drafts. It is suggested that the Council hold a public hearing but table a decision pending final recommendations from the Planning Commission.

David Petersen said Rich Haws would like the zoning ordinance to include a tertiary level. He also had other items that he would like included in the text. **Mr. Petersen** suggested that the City Attorney review the additions.

Public Hearing

Mayor Pro Tem Holmes opened the meeting to a public hearing.

Public Hearing Closed

With no forthcoming comments, **Mayor Pro Tem Susan Holmes** closed the public hearing.

Motion

David Hale moved that the City Council request that City Staff have the text reviewed by the City Attorney. The text would then be considered by the Planning Commission. **Sid Young** seconded the motion which passed by unanimous vote.

PUBLIC HEARING: CONSIDERATION OF PROPOSED AMENDMENTS TO THE GENERAL PLAN, CHAPTER 11 - TRANSIT MIXED USE - DAVID PETERSEN (Agenda Item #9)

David Petersen said the changes to Chapter 11 were minor. The City Attorney recommended that increased control by the City be added to the General Plan since Mr. Haws proposed that the TMU zone be extended beyond Station Park. The zone extension would include other uses such as high density residential. The Planning Commission had not yet finalized the changes. The City Council needed to consider whether to allow the increased high density housing.

Public Hearing

Mayor Pro Tem Susan Holmes opened the meeting to a public hearing.

Gary Rhodes (48 West 600 North) said the multi-family housing should be limited.

Public Hearing Closed

With no further comments, **Mayor Pro Tem Susan Holmes** closed the public hearing.

Motion

Rick Dutson moved that the City Council table consideration of Chapter 11 until a recommendation is received by the Planning Commission. **David Hale** seconded the motion which passed by unanimous vote.

PUBLIC HEARING: CONSIDERATION OF SCHEMATIC PLAN APPROVAL FOR TWO-LOT SUBDIVISION ON 2.8 ACRES AT APPROXIMATELY 1750 WEST BURKE LANE - RANAE DAY/J.R. WARNER (Agenda Item #10)

According to packet information, the Planning Commission voted on August 11, 2005 to recommend to the City Council schematic plan approval for a two lot subdivision located at approximately 1750 West 675 North (Burke Lane).

David Petersen said the applicant had previously split the 2.8 acre parcel and now wanted to split the remainder of the property. Spring Creek flows with an easement over the canal with developable area on both sides of the creek. City Staff recommended approving the split since there was adequate buildable space. The Planning Commission recommended that an Extension Agreement be drafted since the land owners would have to pay their proportionate share of the improvements.

Public Hearing

Mayor Pro Tem Susan Holmes opened the meeting to a public hearing.

J.R. Warner (1286 South Via La Costa Way, Kaysville) said the initial piece of property was sold with the option to buy the remaining piece. The Buyer does not want to purchase the remaining piece.

Public Hearing Closed

With no further comments, **Mayor Pro Tem Susan Holmes** closed the public hearing.

Motion

Sid Young moved that the City Council grant schematic plan approval for the two lot subdivision located at approximately 1750 West 675 North (Burke Lane) subject to the recording of an infrastructure extension agreement for both parcels. **Rick Dutson** seconded the motion, which passed by unanimous vote.

CONSIDERATION OF FINAL PLAT APPROVAL FOR FARMINGTON RANCHES, PHASE VI, SUBDIVISION - RICHARD MOFFAT (Agenda Item #11)

According to packet information, the Planning Commission voted on August 11, 2005 to grant preliminary plat approval and they also approved a motion to recommend to the City Council final plat approval for the Farmington Ranches Phase 6 subdivision on property located at approximately 2100 West 350 North.

David Petersen said the Boyer Company had received preliminary plat approval for phases 4, 5, and 6. They received final plat approval for phases 4 and 5. City Staff had concerns with the grading and drainage plan which were required by the EPA. They would like a clearer determination regarding flow path.

David Hale said the development standards in 2002 for road based asphalt had changed.

Max Forbush said the applicant would only be required to uphold the previous standards due to the Development Agreement.

David Hale referred to the complaints the City Council had received from the Homeowners Association.

Dick Moffat (90 South 400 West) said the Home Owners Association complaints were mainly internal issues regarding the open space areas. The HOA would like to review their agreement.

David Petersen asked if Mr. Moffat would allow the open space to be included in the lots, as requested by some of the homeowners.

Dick Moffat said most owners do not want the power lines included in their property but if the Home Owners Association voted to amend the plat, he would convey the open space to the adjacent property. He assured the City Council that the easement was 50' and that the lots were buildable.

Motion

David Hale moved that the City Council grant final plat approval for the Farmington Ranches Phase 6 subdivision on property located at approximately 2100 West 350 North subject to compliance with all applicable ordinance requirements and development standards and the following:

1. Conditions of preliminary plat approval.
2. The developer shall obtain a flood control permit from Davis County and submit a copy of the permit to the City for City files.
3. Review and approval of the final plat and improvement drawings, including a grading and drainage plan which includes best storm water management practices and complies with the Farmington City Storm Water Management Plan, by the City Engineer, Farmington Storm Water Official, Public Works Department, Fire

Department, Central Davis County Sewer District and Weber Basin Conservancy District.

4. Submit for review by the City covenants, conditions and restrictions for this Phase of the project.
5. Final plat approval of Phase 6 shall be subject to all requirements and conditions as set forth in the Farmington Ranches Development Agreement and any amendments related thereto.

Rick Dutson seconded the motion, which passed by unanimous vote.

PROPOSAL TO DEDICATE PUBLIC RIGHT OF WAY AND TO MAKE CERTAIN PUBLIC IMPROVEMENTS IN EXCHANGE FOR LM&B ZONING - JEFF SMITH (Agenda Item #12)

Max Forbush referred to the map and letter in the packet. Jeff Smith was negotiating to purchase Ken Hardy's property. Mr. Smith said he would agree to a Reimbursement Agreement to dedicate the right of way in exchange for LM&B zoning to accommodate storage units. City Staff recommended granting the LM&B in exchange for Mr. Smith dedicating a 47' street right of way, extending the culinary water line, and dedicating a street to the storage units. He would get a Reimbursement Agreement for the improvements. City Staff also recommended an Extension Agreement to cover the costs of the curb, gutter, sidewalk and half of the street pavement. Two of the Council Members also recommended the exchange. City Staff recommended a meeting be held with the City Attorney to further discuss the agreements.

Motion

David Hale moved that the City Council authorize the City Manager request that the City Attorney draft a Pioneering Agreement for properties abutting the improvement and a formal development agreement, as outlined by Mr. Forbush, between the City and Jeff Smith. **Sid Young** seconded the motion which passed by unanimous vote.

SOMERSET HOMEOWNERS ASSOCIATION REQUEST FOR CITY TO PAY FOR STREET LIGHTING POWER COSTS - JIM HEFNER (Agenda Item #13)

According to packet information, the City Manager recommends approval of paying for the power cost of the lights. This makes sense since the City is paying for power costs all over the City for other subdivision lights. The streets are public. The decorative improvements adjacent to the streets are not.

There is a consideration that some condominium projects may want the City to pay for the lights, but in this instance, the Somerset Homeowners Association is not a condominium association. Therefore, it seems reasonable that the City cover the cost of lighting.

Max Forbush said the City owns the street right of way on the Settlement Agreement. The Home Owners Association would like the City to pay the power cost for the lights which is \$211.00 per month. City Staff recommended that the City pay the power cost but not the maintenance of lights.

Susan Holmes asked if the City pays the power costs for any other PUDs.

Mr. Forbush reviewed other PUD's that had decorative lights. He thought the City paid the power costs for such, but to make sure he would be willing to do more research and bring the request back for further consideration.

MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #14)

Sid Young moved that the City Council approve the following items by consent as follows:

14-1. Ratification of Construction Bond Agreements previously signed by Mayor Connors.

14-2. Approval of letter to County Assessor's Office Requesting change in assessment designation of S&S Railroad.

14-3. Authorization for Mayor to sign School Resource Officer Agreement as enclosed. The allocation went from \$6,100 per year to \$7,320 per year.

14-4. Approval of CDBG Grant Amendment Agreement with State Department of Community and Economic Development. The approval authorizes the City Manager to fill in the appropriate scope of work and to do the appropriate budget work.

Max Forbush listed the items that would be included with the CDBG project (west State Street and 300 West Street) such as curb and gutter, drive approaches, sidewalk adjustments and repairs, asphalt paving near the bridge and on 300 West, road grading and leveling, and handicap access ramps. City Staff recommended approving the CDBG project which would be \$145,000. He requested authorization to pay for the cost difference of narrowing west State Street using the Street Impact Fees which would meet the State's criteria. This cost would be about \$60,000 and would include drainage piping. The improvement does not include the resurfacing of West State Street which would be an additional \$100,000.

David Hale seconded the motion, which passed by unanimous vote.

REVIEW OF “DRAFT” MASTER DEVELOPMENT AGREEMENT PERTAINING TO STATION PARK (Agenda Item #15)

Consideration of the Master Development Agreement was tabled.

ORDINANCE ADOPTING LOCAL AMENDMENTS TO THE INTERNATIONAL BUILDING CODE AND INTERNATIONAL RESIDENTIAL CODE REGARDING AUTOMATIC SPRINKLER SYSTEMS - PAUL HAYWARD (Agenda Item #16)

Max Forbush said the automatic sprinkling ordinance needed to be adjusted and filed with the State Fire Marshall.

Paul Hayward (1663 West 1410 North) said the Attorney felt it would be advisable for the City to adopt the ordinance so it would be ratified. The second ordinance clarifies the items that are of importance to the City such as the State-adopted Ordinance. He found one typo that needed correction. He found the rest of the document to be in line with the meetings and discussions that were held.

Motion

Rick Dutson moved that the City Council adopt ORDINANCE 2005-35, AN ORDINANCE ADOPTING LOCAL AMENDMENTS TO THE INTERNATIONAL BUILDING CODE (IBC) AND INTERNATIONAL SPRINKLER SYSTEMS. **Larry Haugen** seconded the motion, which passed by unanimous vote.

ORDINANCE ADOPTING REGULATIONS REGARDING AUTOMATIC SPRINKLER SYSTEMS AND FIRE ALARM REQUIREMENTS - PAUL HAYWARD (Agenda Item #17)

Motion

David Hale moved that the City Council adopt ORDINANCE 2005-36, AN ORDINANCE ADOPTING REGULATIONS REGARDING AUTOMATIC SPRINKLER SYSTEMS AND FIRE ALARM REQUIREMENTS FOR RESIDENTIAL AND COMMERCIAL CONSTRUCTION WITHIN FARMINGTON CITY, with the correction of the typo. **Rick Dutson** seconded the motion which passed by unanimous vote.

RESOLUTION DETERMINING BENEFITTING UTILITIES AND ACCESS LOCATED OUTSIDE OF STATION PARK REDEVELOPMENT PROJECT AREA AS PROVIDED IN 17B-41007(1)(a)(ii)(D) UCA (Agenda Item #18)

The consideration of the Resolution was tabled.

**AUGUST 24, 2005, SPECIAL CITY COUNCIL WORK SESSION TO DISCUSS
RECOMMENDATIONS FOR NMU ZONING TEXT AND OTHER ALTERNATIVES
(Agenda Item #19)**

Prior to the August 24, 2005, Special City Council Work Session, the Council will take a trail tour of the Buffalo Ranches Trail. The tour will begin at 4:30 at the Buffalo Ranches gate. A tour will almost be made of Farmington Ranches open space areas. Dinner will be served at the Public Works building after the tour.

MISCELLANEOUS

David Hale said he had received e-mails regarding Heritage Park. He did not think it should be a sports park.

The City Council agreed that the park should not be used for games against teams from outside of the City. The Council Members voted on the issue of whether to allow chalking of the fields. It was determined that the City would contact the coaches to encourage them to use cones to create the field boundaries.

Sid Young said he and **Rick Dutson** planned to participate in the Commissioners Cup with the Haws group. He requested that \$50.00 per person be paid to Stonehenge for the golf fees.

Max Forbush said the Arts Council recommended that Chris Taylor and Shannon Wilson each serve a three year term on the Farmington City Arts Council. The applicants were interviewed by Stephanie Paget and Viola Kinney.

Motion

Rick Dutson moved that the City Council appoint Chris Taylor and Shannon Wilson to serve a three year term on the Arts Council. **David Hale** seconded the motion, which passed by unanimous vote.

CDBG PROJECT - ENGINEERING AGREEMENT

Motion

Rick Dutson moved that the City Council approve the Engineering Agreement with CRS Engineers for the CDBG Project. **Larry Haugen** seconded the motion, which passed by unanimous vote.

Max Forbush reviewed a proposal to purchase a postal machine in addition to the utility bill stuffing machine that was approved in the budget. Postal regulations will require replacement of the

current machine next year. Pitney Bowes is willing to sell both machines for \$20,800 which exceeds the budget by \$800.00.

Motion

Rick Dutson moved that the City Council approve the alteration to the budget to purchase a both machines. **David Hale** seconded the motion, which passed by unanimous vote.

RESOLUTION FOR QWEST

Max Forbush said a Resolution had been drafted that would allow Qwest Corporation to offset up to \$1,907.90 per month against the municipal telecommunications license tax it would otherwise remit to the City. He recommended adopting the Resolution which had been recommended by the Utah League of Cities & Towns.

David Hale moved that the City Council adopt Resolution No. 2005-37, a Resolution Authorizing Equalization of Local Charges Collected from Qwest Corporation. **Larry Haugen** seconded the motion, which passed by unanimous vote.

AUTHORIZATION OF STORM WATER IMPACT FEE STUDY

Max Forbush said one of the fees that needed to be studied was the storm water impact fee, especially in West Farmington. Mr. Rosenthal submitted a proposal for \$6,600. Mr. Forbush said the park impact fee analysis could be done at a later time. This fee would cover the cost of preparing a capital facilities plan for storm sewer and analysis and recommends appropriate change to the current fees once completed.

Motion

David Hale moved that the City Council authorize City Staff to move forward with Rosenthal and Associates to perform the storm water impact fee analysis. **Rick Dutson** seconded the motion which passed by unanimous vote.

ADJOURNMENT

David Hale moved that the meeting adjourn at 10:05 P.M.

Margy Lomax, City Recorder
Farmington City